

MESSAGE NO: 5312111 MESSAGE DATE: 11/08/1994

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-401, A-122-506, A-423-077,
A-427-030, A-427-078, A-428-061

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1993 TO 05/31/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON-ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

MESSAGE NO: 5312111

DATE: 11 08 1994

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 423 - 077

A - 122 - 506

A - 122 - 401

A - 427 - 030

A - 427 - 078

A - 428 - 061

PERIOD COVERED: 06 01 1993 TO 05 31 1994

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: NON-ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

PASS TO IMPORT SPECIALISTS, CUSTOMS BROKERS, AND OTHER INTERESTED
PARTIES

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS.

INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 353.22
OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN

ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR CERTAIN PERIODS ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 353.22(e) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIODS LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

SUGAR FROM BELGIUM PERIOD

A-423-077

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 6/1/93 - 5/31/94

OIL COUNTRY TUBULAR GOODS FROM CANADA PERIOD

A-122-506

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 6/1/93 - 5/31/94

IPSCO, INC.

RED RASPBERRIES FROM CANADA PERIOD

A-122-401

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 6/1/93 - 5/31/94

LARGE POWER TRANSFORMERS FROM FRANCE PERIOD

A-427-030

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 6/1/93 - 5/31/94

JEUMONT-SCHNEIDER

SUGAR FROM FRANCE

PERIOD

A-427-078

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/93 - 5/31/94

BARIUM CARBONATE FROM GERMANY

PERIOD

A-428-061

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

6/1/93 - 5/31/94

3. ENTRIES OF MERCHANDISE FROM EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. THIS TELEX CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. WHENEVER THE USE OF THESE INSTRUCTIONS RESULTS IN THE ASSESSMENT OF DUMPING DUTIES YOU SHOULD REQUIRE OF THE IMPORTER PRIOR TO LIQUIDATION REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES PRIOR TO THE DATE OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE FORWARDED VIA E-MAIL THROUGH THE REGIONAL AD/CVD COORDINATOR TO THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE (202) 482-5253, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS TELEX.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party